

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MANUEL WILLIAMS

Plaintiff,

v.

Case No. 04-C-327

GREGORY D. GRAMS,

Defendant.

ORDER FOR VOLUNTARY DISMISSAL

The parties have filed a stipulation for voluntary dismissal of this action. The petitioner is reminded that the Antiterrorism and Effective Death Penalty Act (AEDPA) imposes a one year statute of limitations on filing federal petitions for habeas corpus relief. See 28 U.S.C. §2244(d).

Section § 2244(d) provides in relevant part:

(d) (1) A 1-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of--

(A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;

(B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such State action;

(C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or

(D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

Based on the stipulation for voluntary dismissal signed by all the parties,

IT IS HEREBY ORDERED that the action against the respondent is dismissed without prejudice and without costs to any party pursuant to Fed. R. Civ. P. 41(a)(1).

Dated at Milwaukee, Wisconsin this 23 day of August, 2005.

BY THE COURT:



s/ Patricia J. Gorence

PATRICIA J. GORENCE

United States Magistrate Judge

PJG

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

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MANUEL WILLIAMS,

Petitioner,

v.

Case No. 04-C-0327

GREGORY GRAMS,

Respondent.

STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL

Petitioner Manuel Williams, *pro se*, and respondent Gregory Grams, by Assistant Attorney General Aaron R. O'Neil, agree that the action against the respondent may be dismissed without prejudice and without costs to either party, and that the court may enter an order to that effect without further notice or hearing.

Manuel Williams
MANUEL WILLIAMS
Petitioner

8-13-2005
Date

Aaron R. O'Neil
AARON R. O'NEIL
Assistant Attorney General
Attorney for Respondent
State Bar #1041818

8/11/05
Date